

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF

MONDAY, FEBRUARY 4, 1985  
AT 2:00 P.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Deputy Mayor Mitchell at 2:08 p.m. Deputy Mayor Mitchell adjourned the meeting at 3:34 p.m.

ATTENDANCE DURING THE MEETING:

(M) Mayor Hedgecock-excused by R-262452 (vacation)

- (1) Council Member Mitchell-present
- (2) Council Member Cleator-present
- (3) Council Member McColl-present
- (4) Council Member Jones-present
- (5) Council Member Struiksma-present
- (6) Council Member Gotch-present
- (7) Council Member Murphy-present
- (8) Council Member Martinez-present

Clerk-Abdelnour (bb)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor Hedgecock-not present
- (1) Council Member Mitchell-present
- (2) Council Member Cleator-present
- (3) Council Member McColl-present
- (4) Council Member Jones-present
- (5) Council Member Struiksma-present
- (6) Council Member Gotch-present
- (7) Council Member Murphy-present
- (8) Council Member Martinez-present

ITEM-10: INVOCATION

Invocation was given by Pastor John Anderson of the  
Clairemont Seventh Day Adventist Church, San Diego.

FILE LOCATION: MINUTES

Feb-4-1985

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Jones.

FILE LOCATION: MINUTES

19850204

ITEM-30: APPROVED

Approval of Council Minutes for the Meetings of:

1/7/85 P.M.

1/8/85 A.M. and P.M.

1/8/85 A.M. Special

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A040-041.)

MOTION BY McCOLL TO APPROVE. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-not present.

ITEM-31: CONTINUED TO FEBRUARY 19, 1985, A.M.

The matter of a report from the City Manager on the Disposition of Housing Commission Sale Proceeds.

(See City Manager Report CMR-85-47.)

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A041-222.)

MOTION BY MURPHY TO CONTINUE TO FEBRUARY 19, 1985, A.M., AND MODIFY RESOLUTION R-262008 ADOPTED NOVEMBER 20, 1984, TO STATE THE POLICY INTENT AS RECOMMENDED BY THE AFFORDABLE HOUSING TASK FORCE TO SPLIT PROCEEDS 50/50 BETWEEN CAPITAL IMPROVEMENT AND HOUSING PROGRAMS AND DIRECT THE CITY MANAGER STAFF TO REPORT HOW

PARTICULAR SITES ARE GOING TO RESULT IN THE SPLIT. Second by Struiksma. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-not present.

ITEM-32: NOTE AND FILE

Matter of the request of Southland Corporation and Howard Phillips, by Geoffrey L. Bequeaith, District Manager, for a hearing of an appeal from the decision of the Planning Commission in denying Planned Commercial Development Permit PCD-84-0182, which proposes the operation of an existing 7-Eleven store on a 24-hour basis on a 9,150 square-foot site. The subject property is described as

Parcel A of Parcel Map PM-330 and is located on the north side of Starling Drive between Health Center and Meadow Lark Drives, in the CN Zone, and within the boundaries of the Serra Mesa Community Plan area.

(PCD-84-0182. District-5.)

Today's action is a motion granting or denying the request for a hearing of the appeal.

FILE LOCATION: PERM - PCD-84-0182

COUNCIL ACTION: (Tape location: A222-245.)

MOTION BY STRUIKSMA TO NOTE AND FILE. Second by McColl. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-not present.

\* ITEM-50: (O-85-101) ADOPTED AS ORDINANCE O-16368 (New Series)

Incorporating a portion of Lot 34, Nestor Acres, Map-1768 (a 0.44-acre site), located at 2420 Grove Avenue, east of Hollister Street, into R-1500 Zone (formerly R-2A).

(Case-83-0654. Otay Mesa-Nestor Community Plan Area.

District-8. Introduced on 1/22/85. Council voted 6-0.

Districts 5, 7 and Mayor not present.)

FILE LOCATION: ZONE ORD. NO.

COUNCIL ACTION: (Tape location: B136-144.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Jones. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-not present.

\* ITEM-51: (O-85-112) INTRODUCED, TO BE ADOPTED FEBRUARY 19, 1985

Introduction of an Ordinance amending Ordinance O-16214 (NS), as amended, entitled "An Ordinance Establishing a Schedule of Compensation for Officers and Employees of the City of San Diego for the Fiscal Year 1984-85" by amending Exhibits A and B thereto to create the new classification of Community Development Coordinator and establish a schedule of compensation therefor.

(See Civil Service Commission Report.)

FILE LOCATION: --

COUNCIL ACTION: (Tape location: B145-150.)

CONSENT MOTION BY MURPHY TO INTRODUCE. Second by Jones. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea,

Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea,  
Mayor Hedgecock-not present.

\* ITEM-100: (R-85-1276) ADOPTED AS RESOLUTION R-262426

Awarding a contract to Joel P. Shandrick, in the amount of \$105,896, for the Upper Otay Dam Modification on Work Order No. 34805/148131; authorizing the City Auditor and Comptroller to transfer \$13,185 from the Water Revenue Fund 41502, Unallocated Reserve 70679, to the Water Operating Fund 41500, Dams and Reservoirs Program Fund 70322; authorizing the expenditure of \$13,185 from the Water Operating Fund 41500, Dams and Reservoirs Program Fund 70322, to supplement funds previously authorized by Resolution R-261897, adopted November 13, 1984, solely and exclusively for providing funds for said project and related costs; authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-5995)  
(Otay Mesa Community Area. District-8.)

CITY MANAGER REPORT: Bids for this project were opened on December 5, 1984. Eleven bid packages were issued and one bid was submitted. This sole bid of Joel P. Shandrick, an individual, in the amount of \$105,896, is 11 percent above the engineer's estimate of \$95,000. This project consists of cutting a trapezoidal notch in the middle of the dam to lower the spillway elevation and repairing existing cracks by epoxy injection. The State Department of Water Resources, Division of Safety of Dams (DSOD) has requested these modifications. It is felt that readvertising for bids would not result in securing a lower bid and would simply delay this project; therefore, it is recommended that this contract be awarded to the sole bidder.

WU-P-84-217.

FILE LOCATION: W.O. 148131 CONTFY85-1

COUNCIL ACTION: (Tape location: B151-165.)

CONSENT MOTION BY JONES TO ADOPT. Second by McColl. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-not present.

\* ITEM-101: (R-85-1164) ADOPTED AS RESOLUTION R-262427

Awarding a contract to C. S. Construction Company, in the amount of \$7,500, for the installation of the Central

Library elevator ventilation systems on Work Order No. 118121; authorizing the City Auditor and Comptroller to transfer \$3,000 from Capital Outlay Fund 30245, CIP-37-002, Energy Conservation Improvements, to CIP-37-402, Central Library Elevators Upgrading, Contingency Reserve; authorizing the expenditure of \$3,000 from Capital Outlay Fund 30245, CIP-37-402, Central Library Elevators Upgrading, Contingency Reserve, to supplement funds previously authorized by Resolution R-261808, adopted October 29, 1984, for said project and related costs; authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

(BID-5972M)

(Centre City Community Area. District-8.)

CITY MANAGER REPORT: CIP-37-402, Central Library Elevator Upgrade, was set up to refurbish the elevators in the Central Library. With the contingency reserve funds, ventilation systems will be installed to provide filtered outside air to the new elevator control equipment. This will keep the equipment cool and increase its life and serviceability. On October 29, 1984, Council authorized the invitation of bids, award of contract, and expenditure of \$6,390 pursuant to Resolution R-261808. On November 21, 1984, only one bid was received from C. S. Construction Company for \$7,500, which is 25 percent (\$1,500) above the estimate of \$6,000. With this small cost range, it is difficult to estimate the contractor's mobilization and overhead costs. The contract work must be accomplished by a contractor with a general contracting license, and most general contractors are not interested in undertaking such a small City project. Therefore, it is felt that rebidding would not be worthwhile.

FILE LOCATION: W.O. 118121 CONTFY85-1

COUNCIL ACTION: (Tape location: B151-165.)

CONSENT MOTION BY JONES TO ADOPT. Second by McColl. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-not present.

\* ITEM-102:

Three actions relative to awarding contracts:

Subitem-A: (R-85-1147) ADOPTED AS RESOLUTION R-262428  
For the purchase of major lawn equipment and accessories

for an actual cost of \$182,817.25, including terms, as follows: (BID-6026)

- 1) C. R. Jaeschke Inc. for Items 1, 4 and 9 (alternate bid).
- 2) Jenkins Machinery Co. for Items 2 and 3.
- 3) San Diego Toro for Items 5, 6, 10, 11, 12, 13, 15, 18, 21 and 23.
- 4) B. Hayman Co., Inc. for Items 7, 20 and 22.
- 5) Bob Hicks Turf Equipment Co. for Item 14.

Subitem-B: (R-85-1159) ADOPTED AS RESOLUTION R-262429

Dion International Truck for the purchase of International Harvester truck repair parts, as may be required for a period of one year beginning February 1, 1985 through January 31, 1986, for an estimated cost of \$100,000, including tax and terms, with an option to renew contract for an additional one-year period under the same terms and conditions. (BID-6088)

Subitem-C: (R-85-1271) ADOPTED AS RESOLUTION R-262430

For the purchase of furnishings for the Southeastern Area Police Station, for a total cost of \$96,136.40, with contingency, tax and terms, as follows: (BID-6038)

- 1) De Lise and Associates, Incorporated for: a) Section I (open space systems), Section II (chairs and stools), and Section III (desks and credenzas); b) providing a contingency cost not to exceed \$7,000 including sales tax and terms to cover any changes in the above sections due to the configuration of the building and use requirements.
- 2) B-K Cox for Section IV (tables).

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B151-165.)

CONSENT MOTION BY JONES TO ADOPT. Second by McColl. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmay-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-not present.

\* ITEM-103:

Three actions relative to awarding contracts:

Subitem-A: (R-85-1158) ADOPTED AS RESOLUTION R-262431

Concrete Tie of San Diego, Inc., for the purchase of silicone sealant, backer rod, and flashing as may be

required for a period of one year beginning January 1, 1985 through December 31, 1985, for an estimated cost of \$33,714.71, including tax and terms. (BID-6051)

Subitem-B: (R-85-1274) ADOPTED AS RESOLUTION R-262432  
Branom Instrument Co. for the purchase of two video programming units, cables and simulators for an actual cost of \$15,454.80, including tax. (BID-6083)

Subitem-C: (R-85-1160) ADOPTED AS RESOLUTION R-262433  
South Bay Fence for the purchase of chain link fence repair, as may be required for a period of one year beginning February 1, 1985 through January 31, 1986, for an estimated cost of \$15,000, including tax and terms, with an option to renew the contract for an additional one-year period. (BID-6053)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B151-165.)

CONSENT MOTION BY JONES TO ADOPT. Second by McColl. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-not present.

\* ITEM-104:

Two actions relative to awarding contracts:

Subitem-A: (R-85-1277) ADOPTED AS RESOLUTION R-262434  
IMS Recycling and California Metals for the purchase of scrap iron, steel and aluminum; authorizing the Purchasing Agent to sell scrap iron, steel and aluminum. (BID-6169L)

Subitem-B: (R-85-1256) ADOPTED AS RESOLUTION R-262435  
Contractors Equipment Co., for the purchase of one 6-inch trash pump, engine and trailer for an actual cost of \$12,707.82, including tax and terms. (BID-6032)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B151-165.)

CONSENT MOTION BY JONES TO ADOPT. Second by McColl. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-not present.

\* ITEM-105:

Two actions relative to awarding contracts:

Subitem-A: (R-85-1255) ADOPTED AS RESOLUTION R-262436

Quality Lift Truck for the purchase of one 4,000 pound capacity forklift at an actual cost of \$11,179.82, including tax and terms. (BID-5938A)

Subitem-B: (R-85-1257) ADOPTED AS RESOLUTION R-262437

Water Chemists, Inc., for furnishing water treatment compounds and testing service in the Central Plant at 202 "C" Street for a period of one year beginning February 1, 1985 through January 31, 1986, for an estimated cost of \$7,830.22, including tax and terms, with an option to renew the contract for four additional one-year periods. (BID-6087)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B151-165.)

CONSENT MOTION BY JONES TO ADOPT. Second by McColl. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-not present.

\* ITEM-106: (R-85-1275) ADOPTED AS RESOLUTION R-262438

Inviting bids for the Standley Park and Recreation Center Improvements on Work Order No. 133048; authorizing the execution of a contract with the lowest responsible and reliable bidder; authorizing the expenditure of funds not to exceed \$347,863 from the Standley Park Assessment District Fund 79150 for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-6168)

CITY MANAGER REPORT: Standley Park and Recreation Center is located at 3585 Governor Drive. The park's construction was financed with funds from the Standley Park Assessment District, the San Diego Unified School District and the City's Capital Improvements Program. When the project was completed, approximately \$238,000 in assessment district funds remained. The University City Park and Recreation Council asked the City to spend surplus funds on additional improvements. The City Council approved the concept of using the surplus as requested, and on June 16, 1980 authorized the expenditure of \$24,884 for professional services.

Proposed improvements consist of landscaping, picnic facilities, fencing, lighting, concrete paving, a masonry storage building,



small children's play area, modifications to the recreation center building and other miscellaneous improvements. Four security lights and a 20-foot high fence located on the school portion of the site will be constructed by a separate contract after they have been reviewed and approved by the Office of the State Architect. A picnic table, a barbecue and a five row bleacher located on the school site have been deleted from the project because the San Diego Unified School District feels those improvements are not desirable.

FILE LOCATION: STRT P-13 CONTFY85-1

COUNCIL ACTION: (Tape location: B151-165.)

CONSENT MOTION BY JONES TO ADOPT. Second by McColl. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-not present.

\* ITEM-107: (R-85-1258) ADOPTED AS RESOLUTION R-262439

Authorizing the Purchasing Agent to advertise for sale 24 vehicles, which are so used, obsolete or depreciated as to be unfit or undesirable for use or retention by the City; declaring that expenses in connection with the sale of said vehicles shall be deducted from the proceeds received from the sale thereof. (BID-6166L)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B151-165.)

CONSENT MOTION BY JONES TO ADOPT. Second by McColl. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-not present.

ITEM-108: (R-85-1314) ADOPTED AS RESOLUTION R-262440

Approving the acceptance of a grant deed of Emily P. Jenkins, Attorney-in-Fact, from Charles E. Sloan, granting to City the northeast 74.36 feet of Lot 8 in Block "L" of West Hollywood; authorizing and approving the expenditure of an amount not to exceed \$150,000 from 1984 Block Grant Funds, Fund 18520, Dept. 5811, Org. 1105, for the acquisition of property at 5879 and 5887-89 Imperial Avenue.

(Encanto Community Area. District-4.)

CITY MANAGER REPORT: The 1984 Community Development Block Grant Program provides for the acquisition of two properties to provide temporary emergency housing for families, to be operated

by the St. Stephens Church in the Encanto area. The deed for the first of two properties, containing a single-family residence at 5879 Imperial Avenue, is herewith submitted for acceptance. This property is currently being leased by the church, and the existing occupants of this parcel will not have to be relocated. Negotiations are continuing on a second parcel, a two-unit structure at 5887-89 Imperial Avenue. The property owner is considering the City's offer and has advised that he has an independent appraisal in process.

FILE LOCATION: DEED F-2690 DEEDFY85-1

COUNCIL ACTION: (Tape location: B166-213 and B556-567.)

MOTION BY JONES TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-not present.

\* ITEM-109: (R-85-1289 Rev.1) ADOPTED AS RESOLUTION R-262441

Approving the acceptance by the City Manager of that street easement deed of Sorrento View Ltd.-I, granting to City an easement for public street purposes in a portion of Acre Lot 8 of Sorrento Lands and Townsite, Map-483; dedicating said land as and for a public street, and naming the same Vista Sorrento Parkway.

(Torrey Pines Community Area. District-5.)

FILE LOCATION: DEED F-2688 DEEDFY85-1

COUNCIL ACTION: (Tape location: B151-165.)

CONSENT MOTION BY JONES TO ADOPT. Second by McColl. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-not present.

\* ITEM-110: (R-85-1251) ADOPTED AS RESOLUTION R-262442

A Resolution approved by the City Council in Closed Session on Tuesday, January 8, 1985 by the following vote: Mitchell-yea; Cleator-not present; McColl-yea; Jones-yea; Struiksma-not present; Gotch-yea; Murphy-yea; Martinez-yea; Mayor Hedgecock-not present.

Authorizing the City Manager to pay the total sum of \$100,000 in the settlement of each and every claim against the City, its agents and employees, resulting from the shooting of Lawrence Pritchett; authorizing the City Auditor and Comptroller to issue one check in the total amount of \$100,000 made payable to Charlie B. Pritchett and

Lou Pritchett and their attorneys, Clifton Blevins and Johnny Cochran.

CITY MANAGER REPORT: This constitutes complete and final settlement of all claims by the heirs for the death of Lawrence Pritchett on July 8, 1981.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B151-165.)

CONSENT MOTION BY JONES TO ADOPT. Second by McColl. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-not present.

\* ITEM-111: (R-85-1273) ADOPTED AS RESOLUTION R-262443

A Resolution adopted by the City Council in Closed Session on Tuesday, December 18, 1984 by the following vote: Mitchell-yea; Cleator-not present; McColl-yea; Jones-not present; Struiksma-yea; Gotch-yea; Murphy-yea; Martinez-not present; Mayor Hedgecock-not present.

Authorizing the City Manager to pay the total sum of \$75,000 in settlement of the complaint against the City, its agents and employees, resulting from the personal injuries alleged to have been sustained by Lillian Pivar and Hyman Pivar on or about January 6, 1981, and any and all alleged losses sustained by Lillian and Hyman Pivar as a result of said incident (Superior Court Case No. 476147, Lillian and Hyman Pivar v. City of San Diego, et al.); authorizing the City Auditor and Comptroller to issue one warrant check in the total amount of \$75,000 made payable to Lillian Pivar and Hyman Pivar, and their attorney of record, Charles S. Roseman, in full and final settlement of all claims and complaints.

CITY MANAGER REPORT: This constitutes the complete and final settlement of Lillian Pivar and Hyman Pivar's claim resulting from the incident of January 6, 1981.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B151-165.)

CONSENT MOTION BY JONES TO ADOPT. Second by McColl. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-not present.

\* ITEM-112: (R-85-1297) ADOPTED AS RESOLUTION R-262444

Authorizing the addition of CIP-29-571, Ocean Beach

Athletic Area - Tennis Court Reconstruction, to the Fiscal Year 1985 Capital Improvements Program; authorizing the City Auditor and Comptroller to transfer the amount of \$200,000 Revenue Sharing Fund No. 18013 from CIP-29-424, Collier Community Park - Improvements to CIP-29-571, Ocean Beach Athletic Area Tennis Court Reconstruction.

(Ocean Beach Community Area. District-2.)

CITY MANAGER REPORT: This project will provide for the replacement of six tennis courts at the Ocean Beach Athletic Area which have deteriorated beyond repair and are no longer playable. The surface of the tennis courts exhibited a checkerboard cracking pattern over most of the surface which has caused spalling of the concrete. The courts have been closed to public use. Core borings were taken at three locations by a testing engineering firm. The results of this consultant's investigations suggest that chloride induced corrosion of the reinforcing steel in the tennis courts is responsible for the cracking and spalling. The extent of the distress and corrosion is such that repair of the courts is not feasible. The consultant further recommends that the new courts can be constructed directly over the old courts. The proposed new CIP project will provide for the design and construction of the new courts.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B151-165.)

CONSENT MOTION BY JONES TO ADOPT. Second by McColl. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-not present.

\* ITEM-113: (R-85-1313) ADOPTED AS RESOLUTION R-262445

Authorizing the City Manager to reimburse J. B. Unlimited an amount not to exceed \$12,750 from Water Utilities Fund, Sales of Sand and Gravel, for dike repair easterly and adjacent to Hollins Lake, approximately one mile east of the Old Mission Dam on Father Junipero Serra Trail.

(Santee Community Area. District-7.)

CITY MANAGER REPORT: In March of 1982, a Right of Entry Permit was granted to J.B. Unlimited through the RFP process to repair the dike at the easterly end of the Hollins Lake property and dredge the easterly lake. The City received \$24,834.50 from sand removal after allowing a credit of \$11,800 under that permit. These actions were necessary because 1979-80 storms washed out the dike, flooded all three lakes at the premises,

and caused siltation of the easterly lake. The dike was nearly completed when the storms of early 1983 again washed out a 300-foot section of it.

J. B. Unlimited was immediately requested to submit a new proposal to again repair the dike to prevent resiltation of the lakes during the winter months. Since J. B. Unlimited had its equipment on site, and since the company had just established its rates through a competitive process, it was agreed that J. B. Unlimited would be compensated for this work by a credit above those allowed in the original Right of Entry Permit which expired on March 9, 1984. J. B. Unlimited also completed the additional work under the new proposal and a rent reimbursement of \$12,750 is due to the company. This credit is computed for the replacement of 15,000 cubic yards of sand in the dike at 85 cents per cubic yard. The work and the amount of reimbursement have been approved by the Water Utilities Department and Engineering and Development Department, Floodplain Section. WU-PR-84-191.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B151-165.)

CONSENT MOTION BY JONES TO ADOPT. Second by McColl. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-not present.

\* ITEM-114: (R-85-1011) ADOPTED AS RESOLUTION R-262446

Authorizing the execution of an automatic aid agreement with the City of Lemon Grove, for an exchange of service between the City of San Diego and the City of Lemon Grove Fire Departments.

CITY MANAGER REPORT: It is the policy of the City of San Diego to render fire protection mutual aid to its neighbors whenever such aid is needed. Automatic Aid carries the concept of mutual aid one step further by dropping political boundaries so the nearest fire units would respond, regardless of jurisdiction, thus facilitating even faster responses to emergencies. Since 1980 the City has entered into Automatic Aid Agreements with several other municipalities or governmental agencies.

FILE LOCATION: MEET CONTFY85-1

COUNCIL ACTION: (Tape location: B151-165.)

CONSENT MOTION BY JONES TO ADOPT. Second by McColl. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea,

Mayor Hedgecock-not present.

\* ITEM-115: (R-85-920) ADOPTED AS RESOLUTION R-262447

Authorizing the execution of an agreement with Pardee Construction Company, for the rehabilitation and maintenance of that portion of Chicarita Creek, designated as Lot C of Tentative Map TM-82-0130.

(Sabre Springs Community Area. District-1.)

PLANNING DIRECTOR REPORT: This proposed agreement between the City of San Diego and Pardee Construction Company has been prepared by Pardee Construction to satisfy Condition 24 of the Stony Brook Planned Residential Development Permit PRD-84-0306. The approval of the Stony Brook PRD by the Planning Director was conditioned on the approval of an agreement with the City Council to assure the rehabilitation and maintenance of an open space area along Chicarita Creek, adjacent to the Stony Brook project. The PRD-84-0306 was conditioned in this manner to implement both the recommendations of the Sabre Springs Community Plan and the mitigation measures listed in the Addendum to EIR-81-0543, EQD-84-0306. The agreement requires Pardee Construction Company to rehabilitate and maintain that portion of Chicarita Creek designated as Lot C of Tentative Map TM-82-0130 as shown on that Chicarita Creek Riparian Open Space Plan. According to the agreement, Pardee Construction Company will maintain the vegetation for a period of five years from the date the revegetation is completed or until the property is dedicated to the City, whichever first occurs.

FILE LOCATION: PERM PRD 84-0306 CONTFY85-1

COUNCIL ACTION: (Tape location: B151-165.)

CONSENT MOTION BY JONES TO ADOPT. Second by McColl. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-not present.

ITEM-116: (R-85-1298) ADOPTED AS RESOLUTION R-262448

Authorizing the City Manager to utilize appropriate City forces to provide a traffic forecast for Balboa Park.

(Balboa Park Community Area. District-8.)

CITY MANAGER REPORT: On June 25, 1984, the City Council approved the expenditure of \$100,000 for the preparation of an Environmental Impact Report and a Traffic Analysis for the proposed Balboa Park Master Plan. Since the Engineering and Development Department's Traffic Engineering Division is

currently preparing traffic studies in the community areas surrounding Balboa Park, it is recommended that these City forces be utilized to provide travel forecasts for Balboa Park. These travel forecasts can be provided by City forces at considerably less cost than if done by a prospective consultant. The raw computer data provided by Traffic Engineering will then be supplied to the environmental consultant for analysis, adjustments, recommendations and reports.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B214-276.)

MOTION BY MARTINEZ TO ADOPT. Second by Gotch. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-not present.

ITEM-200: (O-85-109 Rev. 2) ADOPTED AS ORDINANCE O-16369  
(New Series)

Authorizing the issuance, sale and delivery of Multi-family Mortgage Revenue Bonds in a principal amount not to exceed \$5,000,000 for the purpose of making a lender loan to provide funds to provide the interim and permanent financing of the cost of acquiring and rehabilitating an approximately 122-unit multi-family rental project located at 36th Street and Island Avenue (Island View Apartments, Conruba Partnership, developers); determining and prescribing certain matters relating thereto; approving and authorizing the execution of related documents, agreements and actions.  
(Six votes required.)

(See Housing Commission Report HCR-85-002CC. Southeast San Diego Community Area. District-4. Introduced on 1/22/85. Council voted 7-0. District 5 and Mayor not present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B277-299.)

MOTION BY JONES TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-not present.

ITEM-201: (R-85-1320) ADOPTED AS RESOLUTION R-262449

Initiating proceedings for the proposed Otay Mesa Reorganization involving an annexation to the City of San

Diego and detachments from the San Diego County Flood Control District - Zone 4, and the Rural Fire Protection District; setting a date and time of a public hearing.

(There is no Community Planning Group for this area.)

PLANNING DIRECTOR REPORT: On December 17, 1984, the Local Agency Formation Commission (LAFCO) completed preliminary proceedings on the proposed "Otay Mesa Reorganization" by approving the reorganization, which includes the annexation of 3,956 acres to The City of San Diego. As part of its action of approval, LAFCO designated the City of San Diego as the conducting authority and authorized the Council to initiate (final) proceedings. As the conducting authority, the Council is required to adopt a resolution formally initiating proceedings in compliance with LAFCO's resolution, and to fix a time, date, and place of hearing on the proposed reorganization. The date of hearing selected must be "not less than 15 days nor more than 60 days" after the date of adoption of the conducting authority's resolution initiating proceedings.

FILE LOCATION: ANNEX - Otay Mesa Reorganization

COUNCIL ACTION: (Tape location: B568-576.)

MOTION BY JONES TO ADOPT. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-not present.

#### ITEM-202: (R-85-1003) RETURNED TO CITY MANAGER

(Continued from the meetings of December 17, 1984 and January 14, 1985; last continued at Council Member Jones's request.)

Vacating the southerly 62.5 feet of Plantano Street adjacent to Lots 410 and 411 of Sunshine Gardens Subdivision, Map-1804, north of the San Diego and Arizona Eastern Railroad right-of-way, under the procedure for the summary vacation of streets where for a period of five consecutive years the street to be vacated has been impassable for vehicular travel and during such period no public money has been expended for maintenance.

(Southeast San Diego Community Area. District-4.)

CITY MANAGER REPORT: Plantano Street, from Uvas Street southerly across the SD&AE Railroad right-of-way, was dedicated by subdivision in 1924. In 1949, the portion south of the railroad was vacated by Council action. The City of San Diego, as the property owner abutting 62.5 feet of the Plantano Street right-of-way immediately north of the railroad, has now proposed



the closure of this section of roadway to facilitate development of the site for moderate income housing. This property is to be developed under the Mortgage Revenue Bond Financial Program, administered by the San Diego Housing Commission. The area of the proposed closure is unimproved and contains no public facilities. As a condition of building permits for its site, the Housing Commission will improve the remaining section of Plantano Street between Uvas Street and its site to local street standards. Because Plantano Street cannot be extended to the south, its use for traffic circulation is precluded. Staff has therefore concluded that the right-of-way proposed to be vacated is no longer needed for present or prospective public use and can be summarily vacated. This action was processed in accordance with Council Policy 600-15 and has been reviewed by the Southeast Economic Development Corporation (SEDC) and by the Metropolitan Transit Development Board (MTDB).

FILE LOCATION: STRT J-2543 - DEED F-2689 DEEDFY85-1

COUNCIL ACTION: (Tape location: A293-439.)

MOTION BY JONES TO RETURN TO THE CITY MANAGER AND REDOCKET ITEM WHEN THE BASIC PROJECT IS BROUGHT BEFORE COUNCIL. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-not present.

ITEM-203: (R-85-1287) RETURN TO THE PUBLIC SERVICES AND SAFETY COMMITTEE

Declaring areas of the City indicated in Housing Commission Report HCR-85-006CC, dated January 10, 1985, eligible for housing rehabilitation program services.

(See Housing Commission Report HCR-85-006CC. Districts 3, 4, 5, 6, and 8.)

FILE LOCATION: PS&S

COUNCIL ACTION: (Tape location: B300-555.)

MOTION BY MURPHY TO REFER TO THE PUBLIC SERVICES AND SAFETY COMMITTEE TO REVIEW THE ELIGIBILITY OF DISTRICTS 1, 2, AND 7 FOR THE PROGRAM SERVICES. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-not present.

ITEM-S400: (R-85-1370) ADOPTED AS RESOLUTION R-262450

Inducement resolution expressing the City's intent to proceed with preparations for the issue of bonds, not to

exceed \$10,000,000, for the Douglas Allred Company, regarding the acquisition and rehabilitation of the Belleview Shopping Center, a 20-acre site located at University Avenue and 58th Street, subject to the development of mutually acceptable terms and conditions, and subject to determination by the City that the bond issue would be consistent with the qualifying criteria set forth in the City's Economic Development Revenue Bond Law; authorizing the City Attorney to execute an agreement with Latham and Watkins for bond counsel services.

(Mid-City Community Area. District-3.)

CITY MANAGER REPORT: The Douglas Allred Company, San Diego, submitted an application on January 24, 1985 for \$10,000,000 of industrial development bond financing. The project is the acquisition and rehabilitation of the Belleview Shopping Center, a 20-acre site at University Avenue and 58th Street. The applicant is scheduled to close escrow on February 7, 1985 and desires City Council adoption of an inducement resolution prior to that date in order that certain of the acquisition costs may be reimbursable from bond sale proceeds. The inducement resolution would not commit the City Council to a bond issue.

The resolution stipulates that issuance of bonds is subject to:

a) confirmation by the City, with the assistance of an independent financial consultant, that the bonds would be adequately secured and that the financing would be consistent with City qualifying criteria, and b) documentation of mutually acceptable terms and conditions. Neither the faith and credit nor the taxing powers of the City would be pledged to the payment of any principal, premium, or interest on the bonds.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B577-640.)

MOTION BY McCOLL TO ADOPT. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-not present.

ITEM-S401: (R-85-1379) CONTINUED TO FEBRUARY 11, 1985

Authorizing a first amendment to consultant agreement with Norbert H. Dall extending the agreement to June 30, 1985, for the purpose of completing alternative language to the City's Local Coastal Plans and implementing ordinances. (See Memorandum from Intergovernmental Relations Department Director dated 1/23/85.)

CITY MANAGER REPORT: The proposed amendment to Norbert H.

Dall's contract is necessary so that the consultant can complete alternative Local Coastal Program language and implementing ordinances for Council consideration. Proposed Amendments are:

1) Change Section 1. TERM from "shall remain in effect through January, 1985" to "shall remain in effect through June 30, 1985." 2) Change Section 3. FEES from "not to exceed \$12,000 in total" to "not to exceed \$27,000 in total." 3) Change Section 4. REIMBURSABLE EXPENSES from "not to exceed \$750 per month or \$3,000 in total" to "not to exceed \$750 per month or \$6,750 in total."

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A246-292.)

MOTION BY CLEATOR TO CONTINUE TO FEBRUARY 11, 1985, AT THE REQUEST OF THE CITY MANAGER, PLANNING DEPARTMENT, AND INTERGOVERNMENTAL RELATIONS. Second by McColl. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-not present.

ITEM-S402: RETURNED TO CITY MANAGER

(Continued from the meeting of January 22, 1985; trailed from January 28, 1985 to January 29, 1985; continued from January 29, 1985 at the City Manager's request.)

Three actions relative to amendments to agreements for use and occupancy of San Diego Jack Murphy Stadium:  
(See City Manager Report CMR-85-29. Mission Valley Community Area. District-5.)

Subitem-A: (R-85-1210)

Authorizing the execution of a second amendment to the lease agreement with Charger Associates for use and occupancy of a portion of the San Diego Jack Murphy Stadium.

Subitem-B: (R-85-1211)

Authorizing the execution of a first modification to the first amended agreement with Chargers Football Company for partial use and occupancy of the San Diego Jack Murphy Stadium.

Subitem-C: (R-85-1212)

Authorizing the execution of a fourth amendment to agreement with the National League Baseball Club, Inc. (Padres) for partial use and occupancy of the San Diego

Jack Murphy Stadium.  
FILE LOCATION: LEAS -

Subitem A - Charger Associates;

Subitem B - Chargers Football Company;

Subitem C - National League Baseball Club,  
Inc. (Padres) LEASFY85-3  
COUNCIL ACTION: (Tape location: A440-457.)  
MOTION BY McCOLL TO RETURN TO THE CITY MANAGER TO ACQUIRE  
SIGNATURE FROM STADIUM TENANT. Second by Jones. Passed by the  
following vote: Mitchell-yea, Cleator-yea, McColl-yea,  
Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea,  
Mayor Hedgecock-not present.  
COMMUNICATION: TRAILED TO FEBRUARY 5, 1985  
Sunset Cliffs Park Demolition and Erosion Control - Villa  
Surf

FILE LOCATION: MEET  
COUNCIL ACTION: (Tape location: A463-B135.)

ADJOURNMENT:  
The meeting was adjourned by Deputy Mayor Mitchell at 3:34  
p.m.

FILE LOCATION: MEET  
COUNCIL ACTION: (Tape location: B687.  
MOTION BY McCOLL TO ADJOURN IN HONOR OF THE MEMORY OF JAMES C.  
NICHOL. Second by Martinez. Passed by the following vote:  
Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea,  
Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-not present.